THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.17367 of 1997

Dated:05.07.2006

Between:

Duppala Laxmana Rao.

…Petitioners

and

The District Co-operative Officer, Srikakulam, and others.

…Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.17367 of 1997

ORDER:

The petitioner was working as Salesman-cum-Incharge Business Manager of the Government Employees Co-operative Stores Limited, Srikakulam. He filed the instant writ petition challenging the retirement notice dated 20.06.1997 informing him that he would retire from service with effect from 31.07.1997. The petitioner contends that as per the byelaws of the second respondent as well as Section 47(2) of the Andhra Pradesh Shops and Establishments Act, 1988, he is entitled to continue in service up to the age of sixty years.

The attention of this Court has been invited to a communication dated 04.06.1997 issued by the District Co-operative Officer, the first respondent herein, wherein it was clarified that as per Regulation V(h) in Chapter II of the Service Regulations an employee of the second respondent-Stores has to retire at the age of 58 years, except Class IV employees. It was also clarified that the petitioner, being a Salesman and Incharge Business Manager, cannot be treated as a Class IV employee. Therefore, this writ petition is misconceived. It is also brought to the notice of this Court that the petitioner has already been retired. Therefore, at this point of time, no direction can be issued to the respondents.

The Writ Petition, with the above observations, is accordingly dismissed. No costs.

_____

(V.V.S.RAO, J)

05.07.2006
vs